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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: KATOH

#4  
BoA 4/9/03

SERIAL NO.: 09/707,815

FILED: NOVEMBER 7, 2000

FOR: IMAGE TAKING APPARATUS

DOCKET: NEC DP-689

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APR 07 2003

Technology Center 2600

Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In connection with the above-identified application, Applicant hereby attaches U.S. Patent Office Form PTO-1449, including a copy of the reference listed thereon together with the English language abstract. This reference was first cited in a Japanese Office Action dated January 8, 2003 of the underlying Japanese patent application. Enclosed is the Japanese Office Action, together with an English translation of the relevant portions thereof. The claims in the present application are believed to be patentably distinguished over this reference.

This Supplemental Information Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(a). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56 (a) relies on a materiality concept which depends on subjectivity.

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In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the reference was cited. The relevance to the pending U.S. patent application is that the reference was cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of the foreign examiner, or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

The enclosed Supplemental Information Disclosure Statement is being submitted within three months of the Japanese Office Action, as certified in the attached Certification for Information Disclosure Statement.

Therefore, we believe that there are no fees involved with this information disclosure statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



---

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Serial No. 09/707,815

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 1, 2003 at Manchester, New Hampshire.

By: Kristine Stevens

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STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

Docket No.  
NEC DP-689

In Re Application Of: KATON

APR 04 2003

Serial No.  
09/707,815

Filing Date  
November 7, 2000

Examiner

Group Art Unit

Invention: Image Taking Apparatus

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

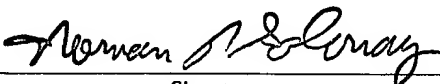
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.



Signature

Dated: March 25, 2003

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April 1, 2003 with the U.S. Postal Service as first  
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Kristine Stevens  
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cc: jh